

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MOBIUS MANAGEMENT SYSTEMS, INC., :

Plaintiff, :

v. : C.A. No. 05-346 SLR

ACARTUS, INC. and EMC CORPORATION, :

Defendants. :

STIPULATION OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by the parties hereto, through their undersigned counsel, pursuant to Fed. R. Civ. P. 41(a)(1)(ii), that this action and all claims asserted therein are dismissed with prejudice; each party shall bear its own costs and attorney's fees.

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/s/ Kurt M. Heyman

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SO ORDERED this ____ day of November, 2007.

The Honorable Sue L. Robinson
United States District Judge

CERTIFICATE OF SERVICE

Kurt M. Heyman, Esquire, hereby certifies that on November 28, 2007, copies of the foregoing Stipulation for Dismissal were served via electronic filing:

Mary B. Graham, Esquire
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/s/ Kurt M. Heyman

Kurt M. Heyman (# 3054)